

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**J. L. S., a Minor, by and Through
DEB SMITH, Her Mother and Natural
Guardian,**

Plaintiff,

vs.

**KENNETH W. ELLIS M.D.;
DANIEL FARRELL M.D.;
WALTER K. ESKILDSEN M.D. and
THE COMMUNITY HOSPITAL
ASSOCIATION d/b/a
COMMUNITY HOSPITAL,**

Defendants.

8:08CV3068

ORDER

Plaintiff seeks leave to file a Third Amended Complaint for the purpose of changing the docket number on the Second Amended Complaint [13] from "4:08-CV-3068" (the number originally assigned) to "8:08-CV-3068" (the current docket number of the case).

Plaintiff has already served the Second Amended Complaint, and the proposed amendment is not substantive. The first digit of the docket number merely reflects the plaintiff's request for trial in Omaha (digit "8") as opposed to Lincoln (digit "4"). Plaintiff's documents have all been filed in the proper case and, since April 7, 2008, the CM/ECF System has generated all notices with the proper docket number. The court finds that further amendment of the Complaint is unnecessary.

IT IS ORDERED that plaintiff's motion for leave to file a Third Amended Complaint [28] is denied; however, the parties shall include the correct docket number, 8:08CV3068, on all future filings.

DATED June 4, 2008.

BY THE COURT:

s/ **F.A. Gossett**
United States Magistrate Judge